

Christian Geitz

From: Ryan Schable <ryanschable@gmail.com>
Sent: Saturday, November 14, 2015 8:32 PM
To: Christian Geitz
Subject: SUB15-01978

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Zoning Permits

Project Planning Committee,

Included are items for consideration in approving the short plat, Case no. SUB15-01978, otherwise known as Lakeview at Denny Park. With the addition of 3 new homes at this location, the area of 73rd pl NE just South of this property near 120XX 73rd Pl NE should be converted from gravel to blacktop. Not all traffic will be diverted to 120th St. Traveling south on 73rd Pl NE may be an attractive route to this property. In addition, short plat SUB15-01479 adds 6 additional homes to this area. This additional traffic will not be supported by the existing gravel road section on 73rd Pl NE and blacktop should be the minimum upgrade to support the increased traffic in this area.

Sincerely,
Ryan Schable
11622 73rd Pl NE
Kirkland, WA 98034
ryanschable@gmail.com
425-280-8081
Reference Permit number SUB15-01978

Christian Geitz

From: goodwin <goodwin.hp@gmail.com>
Sent: Sunday, November 15, 2015 10:53 PM
To: Christian Geitz
Subject: SUB15-01978 Short Plat Permit Schoen
Attachments: a schoen 1115.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Zoning Permits

Christian,

I have below feedback and concerns of short plat permit request SUB15-01978. To help express myself in this correspondence I'll address the activity that has taken place at this Schoen property site in three phases. Phase 1 was the issuance of the city clearing permit for access road leading to lots A-B-C-D-E-F (I believe the lot being considered in this short plat application is called lot F). Phase 2 was the lot line adjustment. Phase 3 is where we are now, thinking about this short plat request of lot F. And phase 4 which I call the future building permit application stage.

I feel this permit should be denied for the following reasons:

- First...the drawing on the city's notice of application hand out at the site's notice board is incorrect. The hand out includes the outdated old testamentary drawing. I feel the city should correct this mistake and repost request notice using current site drawing which includes the September city approved lot line adjustments.
 - I also feel the updated notice hand out should include information regarding phase 1 and phase 2 activity, as actions during these phases affects the decisions to be made in this phase 3 short plat request and future phase requests. I feel all completed phases and future phases should be considered in a comprehensive manner by the city as they are all connected and affect each other. Example: Developer disturbed areas in phase 1 that I understand are included in 25% undisturbed areas in future phase 4 building permit (see attached phase 4 drawing marked Lot Site Plan - showing saved trees). An area disturbed in one area cannot be consider in the 25% hold back area in future phases, as it has been disturbed. Another example: significant trees were allowed to be taken in western reaches of the access road during phase 1 and now in phase 3 additional trees will need to be taken to extend road/driveway even further to serve the easterly lot and home. I understand the city felt it was ok to approve the road clearing as submitted and drawn in phase 1 but perhaps the city would not have permitted it if it had be in this phase 3 short plat configuration.
- Second...until the developer submits to the city the legal names of the contract purchaser of parcels A-B-C all consideration of this short plat should be deferred. Department of Ecology feels the city missed things in issuing phase 1 clearing permit but they feel mistake was corrected using contract purchase substantial development exemption. All site work should be suspended until legal name of contract purchaser becomes part of the legal file. Again, activity in phase 1 affects decisions to be make in this phase 3 short plat

If the city chooses to go ahead and consider this application now, I have the following comments:

- This site is on steep slope and is located in the SDO. Lot F cannot sustain the impact of three lots. Nor can the lots A-B-C-D-E, located downhill from this parcel, sustain the impact. This land is too sensitive.

- If this permit is issued I feel, as part of the determination, the unopened NE 120th St right of way (which border this lot) should be opened for **safety** and traffic reasons. In the event of a large scale emergency vehicle flow in (or out) of this area could be **unsafe** as Holmes Point Drive has only two access points , opening this right away would give private and emergency vehicles a third access point.

Thank you for your consideration.

Ken Goodwin

Finn Hill Neighborhood Alliance-Member
118 34 Holmes Point Drive
Kirkland Wa 98034

Christian Geitz

From: Tom Early <tom.early@otak.com>
Sent: Monday, February 22, 2016 3:38 PM
To: Christian Geitz
Subject: SUB15-01978
Attachments: SUB15-01978 UF checklist.docx

Hi Christian,

Here's the fast track sub checklist for the Schoen property's eastern 3 lot short plat. Two items to coordinate: having the applicant submit a PNA noxious weed removal and enhancement planting plan and having the applicant switch out sheet 4 tree tables showing Hadeen SP with this Schoen project tree tables.

Tom Early

Landscape Architect | ISA Certified Arborist | ISA Tree Risk Assessment Qualified | LEED AP

425.250.5346

Christian Geitz

From: Amy Kolve <amy.kolve@gmail.com>
Sent: Wednesday, October 28, 2015 2:50 PM
To: Christian Geitz
Cc: Don Kolve
Subject: case no. SUB15-01978

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Zoning Permits

Dear Christian,

I received my copy of the City of Kirkland, Notice of Application Lakeview at Denny Park for the above named case number. I see that you have requested a copy of the Geotechnical report and I would appreciate being sent a copy when available, if possible before the deadline of comment - November 16, 2015. I would also appreciate any additional information you have, beyond the Notice of Application, pertaining to this development.

I am a concerned resident living adjacent to this development.

Thank you very much,

Amy
Kolve

(425) 283-7019

Christian Geitz

From: Scott Morris <Scott.Morris@trilogy-international.com>
Sent: Monday, November 16, 2015 2:23 PM
To: Christian Geitz
Cc: Eric Shields; ken goodwin work; goodwin.hp@gmail.com; Finn Hill Neighborhood Alliance
Subject: Comment regarding SUB15-01978

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Zoning Permits

Dear Mr. Geitz,

Ken Goodwin sent me a draft of his submission to the City concerning the above-referenced subdivision application. As you know, the Finn Hill Neighborhood Alliance has not taken a specific position on the proposed development of the Schoen property, but it has expressed concern regarding the developer's compliance with applicable regulations including the Holmes Point Overlay ordinance and the Shoreline Management Act.

Consistent with its concern that these regulations be enforced by the City in connection with property development in the Holmes Point area, FHNA notes that Mr. Goodwin appears to raise two cogent concerns about the subdivision application.

First, we ask whether the subdivision will eliminate significant trees in violation of the Holmes Point Overlay ordinance, given the facts that the subdivision will create more parcels (and more impervious surfaces) than would otherwise be permitted on the undivided parcel and that significant trees have already been eliminated in the course of clearing the Schoen parcel for the proposed road. See Section 70.15 (3) of the Kirkland Zoning Code.

Second, if improvements necessary for the development of all parcels on original Schoen property are exempt from compliance with the Shoreline Management Act because the lots adjacent to Holmes Point Drive are under purchase contracts to third parties, can the City approve the subdivision application without confirming that these purchase contracts have been executed and will not be assignable to other parties (noting that the exemption gives homeowners an opportunity to make improvements within the shoreline area solely for "their own use or the use of their family")? See WAC 173-27-040(2)(g).

Respectfully submitted,

Scott Morris
Finn Hill Neighborhood Alliance - President
www.finnhillalliance.org | 206-972-9493
PO Box 682, Kirkland WA 98083





www.facebook.com/finnhillalliance



Christian Geitz

From: Eric Shields
Sent: Tuesday, March 22, 2016 4:59 PM
To: Christian Geitz
Subject: FW: SUB15-01978 Lakeview At Denny Park Short Plat - Schoen

I haven't read the message yet, but I see it's from Ken Goodwin. Would you please craft a response? We can discuss first if you'd like. Thanks.

From: Amy Bolen
Sent: Tuesday, March 22, 2016 4:45 PM
To: Eric Shields <EShields@kirklandwa.gov>
Subject: FW: SUB15-01978 Lakeview At Denny Park Short Plat - Schoen

Eric, could you, or the appropriate staff, please respond to the email below and copy me? Thank you!

AMY BOLEN
EXECUTIVE ASSISTANT, CITY MANAGER'S OFFICE
CITY OF KIRKLAND
123 5TH AVENUE, KIRKLAND, WA 98033
P: 425.587.3007
ABOLEN@KIRKLANDWA.GOV

From: City Council
Sent: Tuesday, March 22, 2016 4:44 PM
To: Council <Council@kirklandwa.gov>
Cc: Kurt Triplett <KTriplett@kirklandwa.gov>; Marilynne Beard <MBeard@kirklandwa.gov>; Tracey Dunlap <TDunlap@kirklandwa.gov>
Subject: FW: SUB15-01978 Lakeview At Denny Park Short Plat - Schoen

Council, I have acknowledged receipt of the email below, and forwarded to staff.

AMY BOLEN
EXECUTIVE ASSISTANT, CITY MANAGER'S OFFICE
CITY OF KIRKLAND
123 5TH AVENUE, KIRKLAND, WA 98033
P: 425.587.3007
ABOLEN@KIRKLANDWA.GOV

From: goodwin [mailto:goodwin.hp@gmail.com]
Sent: Tuesday, March 22, 2016 4:23 PM
To: City Council <citycouncil@kirklandwa.gov>
Subject: SUB15-01978 Lakeview At Denny Park Short Plat - Schoen

I've worked with the city during the different phases of this project and have learned a lot, I have some comments regarding the determination:

- The spirit of the Holmes Point SDO (special district overlay) is not being enforced by the city. I believe this is due to the city's interpretation of this unique code which the city inherited through annexation. To

correct this problem I feel a task force, including Finn Hill Neighborhood Alliance members and city staff, be formed immediately.

- All development applications from within the SDO boundary should cease immediately until a common understanding of SDO interpretation is reached.
- Due to the Phased Review used at this property I feel the city has made decisions based on incomplete information. I feel development applications should include complete details and locations of all site actions so the city can make wise, complete and informed decisions. It's imperative the city moves to an integrated development plan process.
- I feel the city's determination regarding this case should include a detailed plan as to how to protect the designated Protected Natural Areas (PNA) areas. The idea of taping off these areas will not work as the tape can easily be broken or moved. At a minimum fencing should be required around all PNA's. All PNA fencing must be in place before any additional activity occurs at this site.

Thank you for reading,

Ken Goodwin

Finn Hill Neighborhood Alliance-Member

425.823.6840

Christian Geitz

From: James Jordan <jrjordan@isomedia.com>
Sent: Friday, March 25, 2016 8:18 AM
To: John Burkhalter
Cc: Christian Geitz; duffy@cesolutions.us; markconner47@gmail.com; Dennis Johnson; Duane Oswald
Subject: Lakeview at Denny Park SUB15-01978

John and Christian,

Thank you for meeting with Mark, Duffy and I yesterday and discussing our intent to move forward with the construction of the improvements for the Lakeview at Denny Park 3 Lot Short Plat (SUB15-01978) that was recently approved.

We are planning on moving forward with the balance of the improvements permitted under LSM 13-06652 as Revised.

We will have our surveyor establish the balance of the Clearing Limits, have our contractor install the required Tree Protection and erosion control measures and call for inspections prior to commencing any clearing and grading activity within this additional area.

Jim

James R. Jordan
Pinnacle Development Solutions
206.498.3960

Christian Geitz

From: Amy Kolve <amy.kolve@gmail.com>
Sent: Monday, November 16, 2015 4:00 PM
To: Christian Geitz
Cc: Don Kolve; Vicki Renner; ken@kirklandlaw.com
Subject: public comment on SUB15-01978

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Zoning Permits

Christian Geitz, Project Planner
Planning & Building Dept.
City of Kirkland
123 5 th Avenue
Kirkland, WA. 98033

Re: Public Comment, Permit # SUB15-01978

Dear Christian,

Please consider the following concerns regarding the application for permit # SUB15-01978. As a resident of Kirkland living adjacent to this development, we have concerns about the development neglecting the safeguards of the Holmes Point Overlay in protecting intact the natural habitat areas for perpetuity. The following details our concerns.

1. The applicant has not designated the proposed Protected Natural Area (PNA) nor has he staked it as required by subsection 7 of KKC 70.15. The PNA should have been delineated and inspected for the entire project before the LSM permit was issued, but it appears not to have been. Please obtain and provide us with copies of the site plan showing the applicant's delineation of PNA's for the short plat and for the other 5 lots served by the road being built under the LSM permit. We reserve the right to comment on the PNA once it is described and staked.
2. It appears that there is not adequate area in the proposed 3-lot short plat configuration for one contiguous and viable PNA as envisioned by subsection 3.c of KCC 70.15 and separate PNA's would provide meager protection. The City should either limit the short plat to 2 lots or require a different configuration that provides the optimal PNA.
3. No tree retention plan has been submitted as required by subsection 6 and it is not possible to determine at this time if the requirements of subsection 4 of KCC 70.15 will be

met. The City should require that the PNA include “to the maximum extent possible . . . existing viable trees and native vegetation” as contemplated by subsection 3.c. of KCC 79.15. Please obtain and provide

us

with a copy of a proper tree retention plan.

We

reserve the right to comment on it and whether it satisfies the Holmes Point Overlay requirements after

we

receive it.

4. The PNA for this short plat and the other 5 lots to be served by the road being constructed under the LSM permit should be considered together and the City should require as a condition of approval of the short plat one or two PNA’s for the entire project which maximizes the retention of existing trees and native vegetation and provides the best prospects for the PNA’s functioning and being preserved as intended by the Holmes Point Overlay.

5. The subject property is encumbered by utility easements shown in the proposed plat map. No portion of a PNA should be within a utility easement, because the easement reserved under the PNA requirements of the Holmes Point Overlay would conflict with the utility easements

, subsection 3.d of KCC 70.15.

Under the utility easements, the utility has the right to excavate and disturb the easement area in any way it finds necessary to repair, replace and maintain its utility lines. The PNA easement preserves in perpetuity the native growth within the easement area.

6. The subject property is not proper for a subdivision because it is not itself a legal lot. It is the product of a recorded survey which claims to be a testamentary division of property allowed under a narrow exception to the subdivision statute. We understand it purports to be a testamentary division by Helen Schoen. However, at the time of her death, the property was held by a limited liability company. That limited liability company sold the property to the applicant. There is no deed that divided the property among her heirs. Helen Schoen’s will or living trust could bequeath her interest in a limited liability company, but since she did not have title to the real property, it could not effect a testamentary division of the real property among her heirs. Instead of entertaining this 3-lot short plat, the City should require and properly process a plat for the entire proposal for 8 lots. In so doing, it will be in a better position to enforce the requirements of the Holmes Point Overlay, particularly as they relate to establishing an optimal PNA. It would also provide those in the community a full opportunity to review and comment on the entire project.

7. The applicant has not designated the Protected Natural Area (PNA) and has not submitted a proper tree retention plan. He has submitted one drawing with the title of "Saved Trees" which shows no trees retained on lot 8, 7 retained on lot 7, and 2 on lot 6. However that sheet does not constitute a proper tree retention plan. Given a quick review of the property there are roughly 34 significant trees on the short plat subdivision. The applicant needs to meet the goals set forth in subsection 5 of KCC 95.30 of retaining trees with high retention value and, where feasible, retaining trees of moderate retention value **and** he must meet the tree density requirements of KCC95.33. He has not shown how he will meet these goals and, when a quick review shows no trees being left on one lot and the

apparent disappearance of 25 significant trees, this leaves it to appear that he is in serious violation of the tree retention code on its face.

Thank you for your careful attention in seeing application of these protected zoning requirements.

Sincerely,

Amy
and Don Kolve
7202 NE 119th Place
Kirkland, WA 98034
amy.kolve@gmail.com
[\(425\) 283-7019](tel:(425)283-7019)

Ralph and Victoria Renner
7214 NE 119th Place
Kirkland, WA 98034
rv.renner@gmail.com
425-821-9078



--

Amy

(425) 283-7019

Christian Geitz

From: Scott Morris <Scott.Morris@trilogy-international.com>
Sent: Wednesday, November 18, 2015 8:44 PM
To: Christian Geitz
Subject: RE: Comment regarding SUB15-01978

Thank you, Christian, for taking time to address the points raised in my comment to the subdivision request.

Scott Morris

Trilogy International Partners LLC
155 108th Avenue, Suite 400
Bellevue WA 98004

Desk: 425-458-5955

Cell: 206-972-9493

Email: scott.morris@trilogy-international.com

Web: www.trilogyinternationalpartners.com

From: Christian Geitz [mailto:CGeitz@kirklandwa.gov]
Sent: Wednesday, November 18, 2015 1:36 PM
To: Scott Morris
Subject: RE: Comment regarding SUB15-01978

Thank you for submitting a comment on the Lakeview at Denny Park Short Plat. Your comments will be inserted into the official file, they will be considered in the official decision as part of the short plat evaluation and staff report. By submitting a comment during the comment period, you will be listed as a party of record and will have the ability to submit an appeal on the City's Decision if you so choose.

I will take the time now to respond to your echoing of Mr. Goodwin's concerns however. The Holmes Point Overlay standards break apart tree removal/retention and impervious surface allowance throughout the various stages of development. The impervious surface limits established in KZC 70.15.2 are specific to every building lot. If a parcel has the ability to subdivide into multiple lots, the maximum lot coverage is not established by the original single parcel, but by the parcels established through legal means. The density established in this zone through the Comprehensive Plan is Low Density Residential (LDR) 6 units per acre. This density is carried forward in the Zoning Designation of RSA 6. The current development potential for this area of the City is 6 units per acre. The development provisions in KZC 70 do not allow for the City to restrict lot coverage to the original lot if it has the potential to develop at a higher density (6 lots are not subject to the lot coverage maximum of the 1 original lot).

Section 70.15.3 has no bearing on a subdivision. For subdivisions or the development or roadways associated with legally platted lots, section 70.15.5 applies. The removal/retention of trees is reviewed based on the proposed development permit. A Land Surface Modification permit for the installation of a road allows for clearing and grading under section 70.15.5. Once lots are established, trees are assessed again and the applicant is required to show the PNA with the individual building permits. The PNA is recorded at the time the individual building permit is completed, not on the face of the short plat.

At this point, the City has reviewed and approved the grading permit to install a road for the benefit of Lots A-F of the Lot Line Alteration. Three of those lots located upland of the Shoreline Designation were legally created and all related development, including access and utilities, are exempt from a Substantial Development Permit. When the lots that front Holmes Point Drive are submitted for individual Building Permits, the City will need to see the name of the lessee,

owner, or contract purchaser as part of the application. Work under the approved LSM is allowed to continue as approved under permit number LSM13-06652. The City can produce a decision on this short plat file SUB15-01978 (whether approval or denial) without confirming the contract purchaser information.

Regards,
Christian

Christian Geitz
Planner
Planning and Building Department
City of Kirkland
p: 425.587.3246

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From: Scott Morris [<mailto:Scott.Morris@trilogy-international.com>]
Sent: Monday, November 16, 2015 2:23 PM
To: Christian Geitz <CGeitz@kirklandwa.gov>
Cc: Eric Shields <EShields@kirklandwa.gov>; ken goodwin work <ken.goodwin@pcepacific.com>;
goodwin.hp@gmail.com; Finn Hill Neighborhood Alliance <board@finnhillalliance.org>
Subject: Comment regarding SUB15-01978

Dear Mr. Geitz,

Ken Goodwin sent me a draft of his submission to the City concerning the above-referenced subdivision application. As you know, the Finn Hill Neighborhood Alliance has not taken a specific position on the proposed development of the Schoen property, but it has expressed concern regarding the developer's compliance with applicable regulations including the Holmes Point Overlay ordinance and the Shoreline Management Act.

Consistent with its concern that these regulations be enforced by the City in connection with property development in the Holmes Point area, FHNA notes that Mr. Goodwin appears to raise two cogent concerns about the subdivision application.

First, we ask whether the subdivision will eliminate significant trees in violation of the Holmes Point Overlay ordinance, given the facts that the subdivision will create more parcels (and more impervious surfaces) than would otherwise be permitted on the undivided parcel and that significant trees have already been eliminated in the course of clearing the Schoen parcel for the proposed road. See Section 70.15 (3) of the Kirkland Zoning Code.

Second, if improvements necessary for the development of all parcels on original Schoen property are exempt from compliance with the Shoreline Management Act because the lots adjacent to Holmes Point Drive are under purchase contracts to third parties, can the City approve the subdivision application without confirming that these purchase contracts have been executed and will not be assignable to other parties (noting that the exemption gives homeowners an opportunity to make improvements within the shoreline area solely for "their own use or the use of their family")? See WAC 173-27-040(2)(g).

Respectfully submitted,

Scott Morris
Finn Hill Neighborhood Alliance - President

www.finnhillalliance.org | 206-972-9493

PO Box 682, Kirkland WA 98083



www.facebook.com/finnhillalliance



Christian Geitz

From: James Jordan <jrjordan@isomedia.com>
Sent: Wednesday, February 10, 2016 12:23 PM
To: Christian Geitz
Subject: Re: Lakeview at Denny Park

Christian,

I will request the addendum from our Geotechnical Engineer and forward it to you as soon as it is available.

Thanks,
Jim

James R. Jordan
Pinnacle Development Solutions
206.498.3960

On Feb 10, 2016, at 11:45 AM, Christian Geitz <CGeitz@kirklandwa.gov> wrote:

Jim,

I am working toward the decision on the staff report for this project and am in need of some (minor) additional information from the Geotechnical Engineer. The original report identified the ability to develop the original parcels with 6 units. Can you have them provide an addendum which addresses the addition of the net 2 lots under this short plat? It should just be a page or two that identifies the ability to develop the site with 8 single-family residences, with any applicable recommendations. Everything else is moving along. This will help with the discussion session on the steep slope.

Thanks,
Christian

Christian Geitz
Planner
Planning and Building Department
City of Kirkland
p: 425.587.3246

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Christian Geitz

From: James Jordan <jrjordan@isomedia.com>
Sent: Friday, February 12, 2016 8:26 AM
To: Christian Geitz
Cc: markconner47@gmail.com
Subject: Re: Lakeview at Denny Park
Attachments: Schoen Plat Size Geotechnical Addendum.pdf

Christian,

Here is the review letter from Battermann Geotechnical Consulting addressing the additional 2 lots proposed for the Schoen Estate site per your request.

Jim

James R. Jordan
Pinnacle Development Solutions
206.498.3960

On Feb 10, 2016, at 11:45 AM, Christian Geitz <CGeitz@kirklandwa.gov> wrote:

Jim,

I am working toward the decision on the staff report for this project and am in need of some (minor) additional information from the Geotechnical Engineer. The original report identified the ability to develop the original parcels with 6 units. Can you have them provide an addendum which addresses the addition of the net 2 lots under this short plat? It should just be a page or two that identifies the ability to develop the site with 8 single-family residences, with any applicable recommendations. Everything else is moving along. This will help with the discussion session on the steep slope.

Thanks,
Christian

Christian Geitz
Planner
Planning and Building Department
City of Kirkland
p: 425.587.3246

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Christian Geitz

From: James Jordan <jrjordan@isomedia.com>
Sent: Thursday, February 18, 2016 7:46 AM
To: Christian Geitz
Subject: Re: Preliminary PNAs
Attachments: LAKEVIEW AT DENNY PARK SUBMITTAL.pdf

Christian,

Please see Sheet 3, TP-1, Tree Retention Plan of the Submittal Set (attached) which you should have had as part of our submittal.

The preliminary PNA is indicated on this plan together with a table with calculations.

Let me know if this is sufficient or if you require something additional.

Thanks,
Jim

James R. Jordan
Pinnacle Development Solutions
206.498.3960

On Feb 17, 2016, at 4:54 PM, Christian Geitz <CGeitz@kirklandwa.gov> wrote:

Jim,

I am going through the PNA section of the staff report and am looking at the attached document. I want to add this document as an attachment, but the retaining walls/rockeries need to be removed. Can you get me a copy of just the three east lots (those on the short plat), which show just the lot areas and then PNAs? It can be very basic, and doesn't need the footprints. It will help show in the decision, if the PNAs don't contain any structures. The retaining walls won't be allowed under the building permits anyway.

Thanks

Christian Geitz
Planner
Planning and Building Department
City of Kirkland
p: 425.587.3246

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<Preliminary PNA plan.PDF>

Christian Geitz

From: goodwin <goodwin.hp@gmail.com>
Sent: Sunday, December 06, 2015 6:46 PM
To: Christian Geitz
Cc: Eric Shields; Scott Morris; Rick Smith
Subject: Re: schoen tree 5018

Hi Christian,

Thank you for the city's reply.

Several questions and comments:

- I disagree with the statement 'required widening of the Right-of-Way pursuant to the minimum standards for Public Works and the cut work/retaining walls'. It was my understanding at our 8/14/15 city hall meeting the design of this city right of way was going to be negotiated with all stakeholders: developer, city and neighbors. So, at this point nothing was required at this right of way. It was at this 8/14/15 meeting I gave Eric attached signed neighbor petition not to widen HPD for safety reason and motorist speed. The city has moved forward with decisions at this property without further input from neighborhood stakeholders and FHNA.
- The city's planning dept mission statement is: 'Assisting the Kirkland community in planning for the future and to help guide growth consistent with the community vision.' Do you feel the planning department's management of this right of way is consistent of the Holmes Point community vision? The city heard loud and clear, at our FHNA 11/14 neighborhood plan meeting, the broader community stakeholder vision of natural spaces and connectivity for this area.
- The SDO code was written to prevent the cutting of an old 100 year old tree like tag 5018. Especially in instances where it involves a significant tree in a city right of way.
- On our city web site we state...'Kirkland is known for its green spaces, parks and waterfront. The City is committed – through many "green" initiatives – to preserve, protect and sustain our natural resources'. Until the planning department stops above practices on city right of ways the city cannot state they are committed to "green" initiatives. If truly committed to the initiative of 'green', there is no doubt Kirkland planning could have saved this 100 year old tree.
- City council operational values that guide how the City organization works includes: '...be respectful of neighborhood identity'. Do you feel the planning department's management of this right of way has been respectful of the Holmes Point neighborhood stakeholder identity?
- What is the legal name of the owner of lot C where this 100 year old tree was cut? It's my understanding the community stakeholders have not received this information from the city. In my 11/15/15 email to you I requested the legal names of the contract purchaser of parcels A-B-C. In that correspondence I wrote: "...Department of Ecology feels the city missed things in issuing phase 1 clearing permit but they feel mistake was corrected using contract purchase substantial development exemption. All site work should be suspended until legal name of contract purchaser becomes part of the legal file. Again, activity in phase 1 affects decisions to be make in this phase 3 short plat." This tree 5018 is within 200' of Lake Washington I feel this tree, located in a sensitive area, was cut illegally.

Respectfully,

Ken Goodwin
Finn Hill Neighborhood Alliance-Member

On Fri, Dec 4, 2015 at 4:43 PM, Christian Geitz <CGeitz@kirklandwa.gov> wrote:

Ken,

I wanted to provide some information regarding this tree and the active development permit for the site. The tree (#5018) was approved for removal under the Land Surface Modification permit (LSM13-06652), which was issued by the City on June 23rd of this year. The required widening of the Right-of-Way pursuant to the minimum standards for Public Works and the cut work/retaining walls, impacted the critical root zone of the tree, requiring it to be removed. The developer did not initially remove the tree, but has always had the approval under the issued permit.

Christian

Christian Geitz

Planner

Planning and Building Department

City of Kirkland

p: [425.587.3246](tel:425.587.3246)

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GIS mapping system now available to public at <http://maps.kirklandwa.gov>.

From: goodwin [mailto:goodwin.hp@gmail.com]

Sent: Friday, December 04, 2015 3:55 PM

To: Eric Shields <EShields@kirklandwa.gov>

Cc: Christian Geitz <CGeitz@kirklandwa.gov>; Scott Morris <Scott.Morris@trilogy-international.com>; Rick Smith <DoyleSmith@aol.com>

Subject: schoen tree 5018

Eric: This Schoen significant tree tag 5018 was cut yesterday while I was out of town. This tree was over 100 years old. I'll give you a call. Ken

From: goodwin [mailto:goodwin.hp@gmail.com]

Sent: Tuesday, August 11, 2015 4:49 PM

To: Eric Shields
Cc: Scott Morris; Christian Geitz; Rick Smith
Subject: schoen tree 5018

Eric:

As discussed, do not let tree 5018 (see pic) be cut down.

As mentioned...this morning Northfork told me it's coming down.

This significant tree in the city right away and is within 200' of the shoreline.

Several feet north of tree 5018 two other significant trees have already been take from this right away.

Did you get a hold of Jim Jordan?

Ken

Christian Geitz

From: Scott Morris <Scott.Morris@trilogy-international.com>
Sent: Friday, October 02, 2015 3:09 PM
To: Christian Geitz
Subject: RE: SUB15-01978

Lucky you! Thanks for the plat map.

Scott Morris

Trilogy International Partners LLC
155 108th Avenue, Suite 400
Bellevue WA 98004

Desk: 425-458-5955
Cell: 206-972-9493
Email: scott.morris@trilogy-international.com
Web: www.trilogyinternationalpartners.com

From: Christian Geitz [mailto:CGeitz@kirklandwa.gov]
Sent: Friday, October 02, 2015 3:02 PM
To: Scott Morris
Subject: SUB15-01978

Scott,

Here is the proposed plat map for the Lakeview at Denny Park short plat. It shows their proposed layout of the entire 8 lots. It hasn't yet been assigned, as it came in only Wednesday. I am assuming it will be coming my way and I will be performing the completeness review within the next 28 days. If complete, the comment period will start sometime closer to the end of October, beginning of November.

Christian

Christian Geitz

Planner
Planning and Building Department
City of Kirkland
p: 425.587.3246

"Kirkland Maps" makes property information searches fast and easy.
GIS mapping system now available to public at <http://maps.kirklandwa.gov>.

Christian Geitz

From: Thema Crenshaw <tcrenshaw@nud.net>
Sent: Tuesday, November 24, 2015 8:16 AM
To: Christian Geitz
Subject: SUB15-01978

Follow Up Flag: Follow up
Flag Status: Completed

Hi Christian,

Can you please send me a copy of the site plan for proposed short plat SUB15-01978?

Thanks!

Thema Crenshaw | Engineering Specialist

Northshore Utility District

6830 NE 185th St
Kenmore, WA 98028
(425) 398-4400 ext: 426
tcrenshaw@nud.net

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Christian Geitz

From: Peter Andersen <petera@orchard.ms>
Sent: Monday, November 16, 2015 1:32 PM
To: Christian Geitz
Subject: SUB15-01978

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Zoning Permits

Mr. Geitz,

I am writing in response to the proposed development permit number SUB15-01978.

I am concerned about the preservation of the native vegetation and the significant trees on this property. This entire property has never been subject to development and therefore contains a substantial amount of native vegetation and significant trees. Because of these significant trees and vegetation not to mention the adjacent O. O. Denny/Finn Hill park, eagles roost, deer forage and many other native species survive in and around this property.

The Holmes Point Overlay (HPO) is designed to protect the native vegetation and significant trees specifically for the preservation of wildlife and green spaces. It has been my observations (as an 18+ year resident of 73rd Place NE) that recent developments in the HPO area, that the restrictions have largely been ignored or the restrictions have been interpreted in such a way as they were not intended. Additionally, it seems easier and less expensive for developers to ignore the intentions of the HPO and simply pay the fine. The tragedy of clearcutting on the adjoining "One Eagle" site on N.E. 120th St. should not be repeated. Ironically, there is a bald eagle that has nested directly adjacent to this new planned development for many years, producing many chicks year after year. Hopefully the development will not chase this symbolic bird from her nest.

Although the City of Kirkland does a fair job inspecting jobsites for compliance, I have noticed with some developments within the HPO area (additions, remodels or new construction) that soon after receiving the final inspection from Kirkland, the home owner will remove or reduce the required vegetation; doing as they want with the land. I have also noticed that the protection of the critical root zones on some of the HPO area developments has been ignored possibly leading ultimately to a dead or dying tree that then "needs to be removed".

Specifically, I want to make sure all of the sanctions of the Holmes Point Overlay are enforced throughout the construction and for a set time after completion. I also would like all future residence of the development to be advised of the HPO restrictions and the reason for them (by the developer or realty). Any green space/right of way between the existing developed properties should remain 'native', as is, not cleared then replanted.

Although I cannot change the zoning or the requirements to develop the land, I would hope that future developments in the Holmes Point Overlay area would be met with conscientious developers and close oversight by our fair city.

Best Regards,

Peter Andersen

11633 73rd Place N.E.

Kirkland, Washington 98034

